

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DERRICK HAMILTON,

Petitioner,

- against -

VINCENT HERBERT, Superintendent,
Attica Correctional Facility,

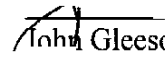
Defendants.

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JOHN GLEESON, United States District Judge:

Petitioner Derrick Hamilton has moved for summary judgment in this action in which he seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The motion is denied. The petition remains pending and under consideration. Mr. Hamilton will be notified in writing when the petition is decided.

So Ordered.

 John Gleeson, U.S.D.J.

Dated: October 16, 2003
Brooklyn, New York